

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

Kevin Lee,	:
Petitioner,	:
	:
v.	: File No. 2:09 CV 94
	:
Andrew Pallito, Commissioner,	:
Vermont Department of Corrections,	:
Respondent.	:

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed July 24, 2009. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

The respondent's motion for summary judgment to dismiss petition for writ of habeas corpus (Paper 9) is **DENIED**, and respondent's motion to extend time for filing said motion (Paper 7) is **GRANTED**.

Dated at Burlington, in the District of Vermont, this 12th day of August, 2009.

/s/ William K. Sessions III  
William K. Sessions III  
Chief Judge, U. S. District Court